

AMENDED IN ASSEMBLY AUGUST 5, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 533

Introduced by Senator Knight
(Coauthor: Senator Wyland)

February 21, 2013

An act to amend Section 25200 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 533, as amended, Knight. Alcoholic beverages: beer labels.

The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, regulates the sale and distribution of alcoholic beverages and the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. The act also provides for specified labeling requirements for containers of alcoholic beverages sold within this state, and requires that all beer sold in the state have a label affixed to its package or container with the true and correct name and address of the manufacturer of the beer and the true and correct name of the bottler of the beer if other than the ~~manufacturer~~ *manufacturer*.

This bill would require a beer manufacturer that refills any container supplied by a consumer to affix a label, as specified, on the container prior to its resale to the consumer. The bill would require information concerning any beer previously packaged in the container, including, but not limited to, information regarding the manufacturer and bottler of the beer, to be removed or completely obscured in a manner not readily removable by the consumer prior to resale.

The Alcoholic Beverage Control Act provides that a violation of its provisions is a misdemeanor.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25200 of the Business and Professions
2 Code is amended to read:
3 25200. (a) All beer sold in this state shall have a label affixed
4 to the package or container thereof, containing the following
5 information:
6 (1) Information as required by Section 7.22 of Title 27 of the
7 Code of Federal Regulations.
8 (2) The government warning as required by Section 16.21 of
9 Title 27 of the Code of Federal Regulations.
10 (3) The true and correct name and address of the manufacturer
11 of the beer, and also the true and correct name of the bottler of the
12 beer if other than the manufacturer.
13 (b) A manufacturer, importer, or wholesaler of beer shall not
14 use a container or carton as a package or container of a beer other
15 than the beer as is manufactured by the manufacturer whose name
16 or brand of beer appears upon the container or carton, or use as a
17 package or container of a beer a container or carton which bears
18 the name of a manufacturer of beer or the brand of any beer other
19 than those of the manufacturer of the beer contained in the
20 container or carton.
21 (c) A beer manufacturer that refills any container supplied by
22 a consumer shall affix a label that complies with this section on
23 the container prior to its resale to the consumer. Any information
24 concerning any beer previously packaged in the container,
25 including, but not limited to, information regarding the
26 manufacturer and bottler of the beer, shall be removed or
27 completely obscured in a manner not readily removable by the
28 consumer prior to the resale of the container to the consumer.

1 SEC. 2. No reimbursement is required by this act pursuant to
2 Section 6 of Article XIII B of the California Constitution because
3 the only costs that may be incurred by a local agency or school
4 district will be incurred because this act creates a new crime or
5 infraction, eliminates a crime or infraction, or changes the penalty
6 for a crime or infraction, within the meaning of Section 17556 of
7 the Government Code, or changes the definition of a crime within
8 the meaning of Section 6 of Article XIII B of the California
9 Constitution.

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